

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 24626 of 2004**

Between:

Smt. Gadde Satyavathi W/o G.Satyanarayana  
Singarajupalem village Nallajerla Mandal, West Godavari District.

**..... PETITIONER**

AND

- 1 The District Collector, West Godavari District.
- 2 The Revenue Divisional Officer Eluru, West Godavari District.
- 3 The Mandal Revenue Officer Nallajerla Mandal,  
West Godavari District.
- 4 The Village Secretary-Singarajupalem village Nallajerla Mandal,  
West Godavari District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, order or direction more particular one in the nature of Writ of Mandamus declaring the action of the respondents in stalling the construction of community hall in Sy.NO.610/2 of Singarajupalem village, Nallarjerla Mandal, West Godavari District, as illegal arbitrary and violative of Principle of Natural Justice .

**For the Petitioner: MR.UNNAM.MURALIDHAR RAO, Advocate**

**For the Respondent Nos.1 to 3: GP FOR REVENUE**

**For the Respondent No.4: Mr. D. Srinivas, Advocate.**

**The Court at the stage of admission made the following:**

**ORDER:**

It is the case of the petitioner that when the villagers of Singarajupalem of Nallajerla Mandal, West Godavari were constructing Geetha Mandiram in Survey No.610/2 in the land belonging to Shiva Alayam, the third respondent, on the complaint made by one K. Bheema Shankar Chowdary alleging that the construction was being carried out in the land belonging to minor irrigation tank, issued notice under Section 6 of the Land Encroachment Act (for short "the Act") directing the villagers to vacate the land. Thereafter, it is stated, the said Shankar Chowdary filed a writ petition in W.P. No.25720 of 2002, wherein this Court directed the respondents therein to implement the orders passed under Section 6 of the Act. While so, it is stated, on an application filed by the villagers, the third respondent submitted reports, dated 09-07-2004 and 28-09-2004 to the first respondent intimating that the construction of Geetha Mandhiram is being carried out in R.S. No.610/2 only and not in the land of minor irrigation tank which is in R.S. No.610/1, and sought necessary instructions in the matter. The grievance of the petitioner is that in spite of the said recommendations made by the third respondent and despite a representation submitted by them on 08-11-2004 seeking permission to proceed with the construction of Geetha Mandhiram, the first respondent has not passed any orders thereon. Hence, the writ petition.

Heard the learned counsel for the petitioner, learned Government Pleader for Revenue appearing on behalf of respondent Nos.1 to 3 and learned counsel for respondent No.4.

Having regard to the fact that the representation said to have been made by petitioner seeking permission to proceed with the construction of Geetha Mandhiram

in the light of the reports of the third respondent, is pending consideration before the first respondent, the writ petition is disposed at the stage of admission with a direction to the first respondent to pass appropriate orders on the representation of the petitioner, dated 08-11-2004 taking into consideration the alleged reports of the third respondent, dated 09-07-2004 and 28-09-2004, within a period of eight weeks from the date of receipt of a copy of this order.

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**N.V. RAMANA, J**

**Date: 29-12-2004**

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To

- 1 The District Collector, West Godavari District.
- 2 The Revenue Divisional Officer Eluru, West Godavari District.
- 3 The Mandal Revenue Officer Nallajerla Mandal,  
West Godavari District.
- 4 The Village Secretary-Singarajupalem village Nallajerla Mandal,  
West Godavari District.
- 5 Two C.Cs to the Government Pleader for Revenue, High Court Buildings,  
A.P.,Hyderabad.
- 6 Two C.D.copies.